

EXHIBIT B

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September 24, 2013

Mark P. Chalos
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VIA EMAIL
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Chris J. Tardio
GIDEON, COOPER & ESSARY PLC

RE: Fungal Infection Litigation

Dear Chris:

I am writing in response to your letter dated September 17, 2013, the hard copy of which was received by my office on September 23, 2013. I have included a copy of your letter as an attachment hereto, for ease of reference for the carbon-copy recipients of this letter.

As we discussed during our January 20, 2013 telephone call, you are correct that NECC has agreed to provide the Plaintiffs' Steering Committee ("PSC") limited "informal" discovery, with one of the conditions being that PSC keep the materials strictly confidential for the time being. The PSC is not in a position unilaterally to alter that agreement to provide your clients access to those materials. It seems that your inquiry is more appropriately directed to Counsel for NECC, Frederick Fern, and/or directly to the Trustee, Paul Moore, both of whom are copied on this letter.

If I can be of further assistance, please contact me.

Sincerely,



Mark P. Chalos

MPC:cqc
Attachment

cc: (via email w/attachment)
Frederick H. Fern – ffern@harrisbeach.com
Paul D. Moore – PDMoore@duanemorris.com
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SEP 23 2013

September 17, 2013

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Re: Meningitis Litigation

Dear Gerard and Mark:

In previous hearings in the MDL, the PSC has referenced "informal" discovery from NECC and has now specifically referenced thousands of documents produced by NECC to the PSC. As you know, despite the PSC's expectation that we evaluate our exposure for purposes of mediation, we have not been given access to any of these documents. Additionally, we are not privy to the scope of any agreement between the PSC and NECC related to NECC's production of information.

Please consider this our formal request for access, through the PSC, to this "informal" discovery from NECC. We formally request copies of any and all documents produced to the PSC by NECC, preferably in electronic form or via electronic access to any document repository.

Thank you.

Very truly yours,



Chris J. Tardio

cc: CJ Gideon, Jr. (via email)